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ACTION ARA-01

INFO	LOG-00	ACDA-08	ACDE-00	ACQ-01	DODE-00	DOEE-00	SRPP-00
	DS-00	UTED-00	H-01	TEDE-00	INR-00	LAB-01	L-01
	ADS-00	NRRC-00	NSAE-00	NSCE-00	OMB-01	OPIC-01	PA-00
	PM-00	PRS-00	P-00	SP-00	TRSE-00	T-00	PMB-00
	DSCC-00	DRL-02	G-00	SAS-00	/017W		
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R 231921Z DEC 98
FM AMEMBASSY CARACAS
TO SECSTATE WASHDC 2625
INFO AMEMBASSY BOGOTA
AMEMBASSY BRASILIA
AMEMBASSY GEORGETOWN
AMEMBASSY LA PAZ
AMEMBASSY LIMA
AMEMBASSY PORT OF SPAIN
AMEMBASSY QUITO
USINT HAVANA
CIA WASHDC
DIA WASHDC
USIA WASHDC 2031
USCINCSO MIAMI FL

UNCLAS SECTION 01 OF 03 CARACAS 003817

E.O. 12958: DECL: N/A
TAGS: PGOV, PREL, VE
SUBJECT: VENEZUELAN CABINET POSTS, POLITICAL APPOINTMENTS, AND
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SUPREME COURT JUDGES

SUMMARY

1. (U) THE VENEZUELAN CABINET CONSISTS OF TWENTY-ONE MINISTERS, WHICH HAVE DISTINCT DUTIES AND RESPONSIBILITIES DEFINED BY LAW. ALL MINISTERS ARE FREELY APPOINTED BY THE PRESIDENT AND DO NOT NEED CONGRESSIONAL APPROVAL. TO DATE, CHAVEZ HAS NAMED FOUR CABINET MINISTERS - RAUL SALAZAR AS SECRETARY OF DEFENSE, LUIS MIQUILENA AS MINISTER OF INTERIOR RELATIONS, ALFREDO PENA SECRETARY OF THE PRESIDENCY, AND JORGE GIORDANI AS MINISTER OF COORDINATION AND PLANNING. IN ADDITION TO THE CABINET, THE PRESIDENT SELECTS THE

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: ALAN H FLANIGAN
DATE/CASE ID: 28 FEB 2007 200503244

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HEAD OF THE CENTRAL BANK AND THE ATTORNEY GENERAL, BOTH OF WHOM MUST BE APPROVED BY CONGRESS. THE CONGRESS, NOT THE PRESIDENT, SELECTS THE PROSECUTOR GENERAL, THE COMPTROLLER GENERAL, AND THE EIGHTEEN JUSTICES OF THE SUPREME COURT. SINCE CONGRESSIONAL APPROVAL REQUIRES A SIMPLE MAJORITY, THE CHAVEZ COALITION (POLO PATRIOTICO), WHICH LACKS A MAJORITY IN BOTH HOUSES, WILL NEED TO WORK HARMONIOUSLY WITH THE OPPOSITION PARTIES TO ACHIEVE CONSENSUS.

END SUMMARY

THE CABINET

2.(U) THE VENEZUELAN CONSTITUTION NEITHER SPECIFIES THE NUMBER OF CABINET POSTS NOR THEIR SPECIFIC DUTIES. RATHER, IT MERELY DESCRIBES THEIR EXISTENCE AND GENERAL DUTIES AND OBLIGATIONS. THE

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ORGANIC LAW OF CENTRAL ADMINISTRATION (LOAC) AS AMENDED IN 1995 IS THE GOVERNING AUTHORITY ON THE CABINET. ACCORDING TO LOAC, THERE ARE TWENTY-ONE CABINET POSITIONS. THE PRESIDENT IS FREE TO NAME ANYONE TO THESE POSTS AND NONE OF HIS SELECTIONS ARE SUBJECT TO CONGRESSIONAL APPROVAL. CABINET MINISTERS ARE APPOINTED AND SERVE AT THE DISCRETION OF THE PRESIDENT. AS SUCH, THEY MAY SERVE AS LONG AS THE PRESIDENT DESIRES AND CAN BE REMOVED AT ANY TIME. THE FOLLOWING ARE THE MINISTRIES OF THE CABINET AND THEIR PRINCIPAL RESPONSIBILITIES:

- INTERIOR RELATIONS - MANAGES INTERNAL POLITICAL RELATIONS, SECURITY, AND PUBLIC ORDER.
- FOREIGN RELATIONS - MANAGES EXTERNAL POLITICAL RELATIONS.
- FINANCE - FORMULATES ECONOMIC AND FINANCIAL POLICY
- DEFENSE - MANAGES THE ARMED FORCES AND PROTECTION OF SOVEREIGNTY.
- INDUSTRY AND COMMERCE - FORMULATES INDUSTRY AND COMMERCIAL POLICY AND PROTECT CONSUMERS.
- EDUCATION - FORMULATES POLICIES COVERING ALL ASPECTS OF THE EDUCATIONAL SYSTEM.
- HEALTH AND SOCIAL WELFARE - FORMULATES POLICIES FOR PROTECTION, PREVENTION, TREATMENT, AND OTHER PUBLIC HEALTH ISSUES AND INSTITUTE PROGRAMS TOWARD BETTERING PUBLIC HEALTH.
- AGRICULTURE AND LIVESTOCK - DEVELOPS AND PROTECTS THE

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AGRICULTURAL SECTOR.

- LABOR - FORMULATES LABOR POLICY AND REGULATES WORKER-OWNER RELATIONS AND UNIONS.
- TRANSPORTATION AND COMMUNICATION - OVERSEES BUILDING AND MAINTAINING TRANSPORTATION INFRASTRUCTURE AND REGULATING AND CONTROLLING MEDIA.
- JUSTICE - OVERSEES THE PRISONS, LAW ENFORCEMENT SYSTEM, AND THE PREVENTION AND PUNISHMENT OF CRIME.
- ENERGY AND MINES - FORMULATES POLICY REGARDING MINING, HYDROCARBONS, AND ENERGY IN GENERAL; CONTROLS THE DEVELOPMENT AND USE OF NATURAL NON-RENEWABLE RESOURCES.
- ENVIRONMENT AND RENEWABLE NATURAL RESOURCES - FORMULATES POLICY FOR MAINTENANCE OF THE QUALITY OF LIFE, THE USE OF RENEWABLE NATURAL RESOURCES AND PRESERVATION OF THE ENVIRONMENT.
- URBAN DEVELOPMENT - FORMULATES POLICY ON URBAN DEVELOPMENT, FINANCE, AND THE CONSTRUCTION OF LIVING QUARTERS FOR THE

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TO SECSTATE WASHDC 2626
INFO AMEMBASSY BOGOTA
AMEMBASSY BRASILIA
AMEMBASSY GEORGETOWN
AMEMBASSY LA PAZ
AMEMBASSY LIMA
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CIA WASHDC
DIA WASHDC
USIA WASHDC 2032
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DISADVANTAGED.

- FAMILY - DEVELOPS POLICIES TO PROTECT AND INTEGRATE THE SOCIO-ECONOMIC DEVELOPMENT OF THE COUNTRY.
- SECRETARY OF THE PRESIDENCY - ACTS AS PRESIDENT'S CHIEF OF STAFF AND CONTROLS THE ADMINISTRATIVE ASPECTS OF THE CABINET.
- COORDINATION AND PLANNING - DESIGNS AND DEVELOPS SHORT AND LONG TERM PLANS FOR ECONOMIC AND SOCIAL DEVELOPMENT.
- OFFICE OF CENTRAL INFORMATION - ACTS AS PRESIDENTIAL SPOKESPERSON AND PROMULGATES STATE DOCUMENTS.
- DECENTRALIZATION - OVERSEES AND PROMOTES THE DECENTRALIZATION PROCESS BEGUN IN 1989.
- RELATIONS WITH CONGRESS - ACTS AS INTERLOCUTOR BETWEEN THE EXECUTIVE AND LEGISLATIVE BRANCHES.
- YOUTH - DESIGNS AND DEVELOPS PROGRAMS TO PROMOTE THE WELL-BEING OF YOUTH, NORMALLY THROUGH EDUCATION AND SPORTS.

3.(U) IN ADDITION TO THE POSTS SPECIFIED ABOVE, THE PRESIDENT HAS THE OPTION TO APPOINT STATE MINISTERS TO AREAS OF SPECIAL NEED, NOT CONSIDERED IN LOAC. AS WITH THE OTHER CABINET POSITIONS, NOMINEES NEED NOT BE APPROVED BY CONGRESS. THE CURRENT GOVERNMENT HAS SEVEN OF THESE MINISTERS:

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-- FRONTIER AFFAIRS
-- HIGHER EDUCATION, SCIENCE, AND TECHNOLOGY

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- INTERNATIONAL ECONOMIC ISSUES
- REFORM OF SOCIAL SECURITY SYSTEM
- NATIONAL COMMISSION AGAINST ILLICIT DRUG USE (CONACUID)
- VENEZUELAN INVESTMENT FUND
- VENEZUELAN TOURIST CORPORATION

4.(U) TO DATE, PRESIDENT-ELECT CHAVEZ HAS NAMED FOUR PEOPLE AS MINISTERS IN HIS CABINET. GENERAL RAUL SALAZAR, CURRENTLY DEFENSE ATTACHE AND ADVISOR TO THE INTERAMERICAN DEFENSE BOARD, HAS BEEN NAMED MINISTER OF DEFENSE; LUIS MIQUILENA, LONG TIME CHAVEZ POLITICAL ALLY (SEPTTEL), MINISTER OF INTERIOR RELATIONS; ALFREDO PENA, FORMER EDITOR OF THE DAILY NEWSPAPER EL NACIONAL, SECRETARY OF THE PRESIDENCY; AND JORGE GIORDANI, FORMER UNIVERSITY PROFESSOR, MINISTER OF COORDINATION AND PLANNING.

OTHER APPOINTMENTS

5.(U) ADDITIONALLY, THE PRESIDENT NOMINATES THE HEAD OF THE CENTRAL BANK AND THE ATTORNEY GENERAL. UNLIKE CABINET POSTS, THE CONSTITUTION REQUIRES CONGRESSIONAL APPROVAL (A SIMPLE MAJORITY
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VOTE) FOR THESE POSITIONS. THE CONGRESS WHILE IN JOINT SESSION NOMINATES AND APPROVES CANDIDATES FOR PROSECUTOR GENERAL, THE COMPTROLLER GENERAL, AND THE EIGHTEEN JUSTICES OF THE SUPREME COURT. SUPREME COURT JUSTICES SERVE STAGGERED NINE YEAR TERMS, WITH ONE THIRD OF THEM REPLACED EVERY THREE YEARS. (NOTE A THIRD AMENDMENT TO THE CONSTITUTION, NOW PENDING, IN PART PROPOSES THAT SUPREME COURT JUSTICE NOMINEES NEED A VOTE OF TWO-THIRDS OF THE MEMBERS OF CONGRESS AND SERVE FOR TWELVE YEARS. END NOTE) ALL OTHER POSTS ARE FIVE YEARS IN DURATION, COINCIDING WITH THE LENGTH OF THE PRESIDENTIAL TERM. CONGRESS CANNOT REMOVE ANY OF THE APPOINTEES WITHOUT JUST CAUSE.

COMMENT

6.(U) PRESIDENT-ELECT CHAVEZ HAS A FREE HAND TO APPOINT HIS CABINET. HOWEVER, HE MUST WORK WITH OTHER PARTIES TO OBTAIN THE CONGRESSIONAL MAJORITY NEEDED FOR SUCH CRUCIAL APPOINTMENTS, AS SUPREME COURT JUDGES, PRESIDENT OF THE CENTRAL BANK, AND ATTORNEY

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GENERAL. HOW CHAVEZ'S POLITICAL ALLIANCE FUNCTIONS AND HOW IT

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RELATES TO OTHER PARTIES WILL BE TESTED EARLY ON BY THE APPOINTMENT
PROCESS. THIS WILL LAY THE GROUNDWORK FOR CONGRESSIONAL RELATIONS,
AT LEAST THROUGH THE PERIOD OF THE EXPECTED CONSTITUTIONAL
ASSEMBLY. END COMMENT

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